

CONFIDENTIAL

Subj:


DIRECTOR OF CENTRAL INTELLIGENCE
Security Committee



DCI/IC 77-1939/1
30 November 1977

MEMORANDUM FOR: Acting Deputy to the DCI for the
Intelligence Community

FROM:



Acting Chairman

SUBJECT: Proposed DCID on Travel Security Policy

1. Attached is a proposed memorandum from you to the DCI recommending his approval for NFIB vote sheet action on a draft DCID on the above subject. The proposed revision of Community security policy on the travel and assignment of persons with access to compartmented intelligence was considered by the NFIB at its 17 June 1976 meeting. Faced with strong NSA objections, the Board remanded an earlier draft DCID on this subject to the Security Committee for determination of a legal aspect and a more precise definition of especially sensitive information.

2. The necessary legal comments were provided by the CIA Associate General Counsel in late January 1977. Those comments, and the previously written definition, were used by the Security Committee in completing by mid-February 1977 a revised draft DCID. Various considerations delayed getting the revised draft back before the NFIB.

3. Since much time has elapsed since the NFIB last considered this subject, it seems desirable to circulate a fresh draft for formal Community consideration. NSA's previous opposition to the proposed new policy may be reversed, since Admiral Inman spoke in favor of the change at the June 1976 Board meeting.

4. Your signature on the proposed memorandum to the DCI is recommended.

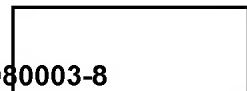


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Attachment:
Memo to DCI

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DCI/IC 77-1939

5 DEC 1977

MEMORANDUM FOR: Director of Central Intelligence

FROM: John N. McMahon
Acting Deputy to the DCI for the
Intelligence Community

SUBJECT: Proposed DCID on Travel Security Policy

REFERENCE: Memo for USIB (USIB-D-9.6/6), dated 1 April 1963,
Subject: "Procedures for Foreign Travel of
Personnel Possessing Special Security
Clearances"

1. Action Requested: Approval for NFIB vote sheet action on a draft DCID setting security policy on travel and assignment of personnel with access to compartmented intelligence.

2. Background: Restrictions on the travel or assignment of persons having or having had access to compartmented intelligence have been in effect for some twenty years. Current Community policy on this subject dates from 1963 (see reference). A perception that the circumstances which justified the policy had changed, questions about the legal enforceability of travel restrictions, and diverging implementation of the policy by different agencies, prompted a proposed revision of the policy. NFIB consideration of that proposal resulted in the Board remanding an earlier draft DCID to the Security Committee for (1) exploration with legal counsel of enforceability questions, and (2) more precise definition of particularly sensitive information, access to which should trigger more travel restrictions than might otherwise be appropriate. The legal issue bears on authority to restrict the unofficial travel of persons having access to sensitive national security information in the interests of better protecting that information.

3. Staff Position:

a. The consensus of Community legal staffs is that, while U.S. citizens have a Constitutional right to travel, the courts would quite possibly uphold agency restrictions against private travel to risky areas if there was a "strong factual situation; for example, current practices of a country of detaining, harassing or provoking...persons [with access to sensitive information] for the purpose of extracting information from

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them." There are no recent cases documented in which persons with access to compartmented intelligence were detained, harassed, or provoked during private travel to Communist countries to try to force or trick them to divulge sensitive information. The harassments and provocations occasionally encountered by Americans in Communist countries have other objectives--warning local citizens against contact with Americans, trying to frustrate possible intelligence activities by the Americans, and seeking to identify weaknesses in the Americans which could be exploited for espionage recruitment. The application of travel restrictions is very inconsistent. They are waived by some agencies, stringently applied by others. However private travel of cleared persons to risky areas has been handled, it has not contributed to any known compromise of sensitive intelligence. Thus, there does not appear to be any demonstrable need to restrict private travel for security reasons, or any likelihood of supporting in court a stringent policy restricting such travel.

b. Prudent security, however, argues that persons with access to sensitive intelligence should be briefed on potential dangers that might befall them during travel to or through countries adverse to the United States. The policy proposed in the attached draft DCID would require such persons to: (1) give advance notice of planned travel, (2) receive a defensive security briefing before leaving, and (3) report to official U.S. authorities any security incidents affecting them during travel. The proposed policy would apply more rigorously to those few persons with access to exceptionally sensitive information on the specific sources and methods of compartmented intelligence (e.g., specific reconnaissance capabilities, cryptologic targets, or successes).

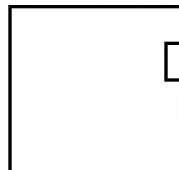
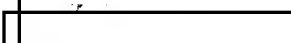
c. This subject has been dealt with at considerable length by the Security Committee and the Community. All Community agencies except NSA have been pressing for a more realistic policy which would balance known circumstances of travel against limits on authority to restrict travel, operational requirements, and prudent security precautions. NSA's opposition to a change has been strong. Their position may have changed. When Vice Admiral Inman was Director of Naval Intelligence, he actively supported a change in security policy along the lines of that in the attached draft DCID.

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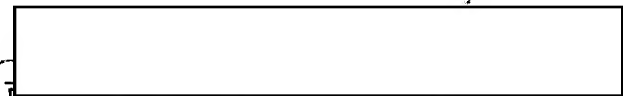
4. Recommendation: That you approve circulation of the attached draft DCID to the NFIB for vote sheet action, and if this should not result in Community agreement, schedule this subject for discussion at an NFIB meeting with a view towards resolving this issue.

Attachment:
Draft DCID

 
John N. McMahon

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APPROVED:


Director of Central Intelligence

DISAPPROVED:

Director of Central Intelligence

DATE:

5 Dec. 77

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DIRECTOR OF CENTRAL INTELLIGENCE DIRECTIVE NO. 1/XX
SECURITY POLICY CONCERNING TRAVEL AND ASSIGNMENT OF
PERSONNEL WITH ACCESS TO SENSITIVE COMPARTMENTED INFORMATION

APPENDIX

COUNTRIES AND AREAS IN WHICH VISITS, TRAVEL, AND ASSIGNMENT
ARE CONSIDERED TO BE A HAZARDOUS ACTIVITY

Listed below are countries and areas in which there is deemed to be a risk of harassment, provocation, entrapment, or detention of U.S. personnel. All territory controlled by the the listed countries is included, irrespective of whether the national boundaries involved are formally recognized by the United States Government.

Albania
Bulgaria
Cambodia
China (Peoples Republic of)
Cuba (except U.S. Naval Base, Guantanamo)
Czechoslovakia
German Democratic Republic (East Germany)
Hungary
Laos
North Korea (and adjacent Demilitarized Zone)
Outer Mongolia (Mongolian Peoples Republic)
Lebanon
Poland
Romania
Vietnam
Soviet Sector of Berlin
Syria
USSR
Yugoslavia
Chinmen (Quemoy), Matsu and other islands offshore from
Mainland China held by the Republic of China

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ATTACHMENT

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